

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

TERRY D. GROVE,

Plaintiff,

v.

JANICE CONROY ALBERT,

Defendant.

CASE NO. C07-1159-RSL-MJB

ORDER GRANTING  
VOLUNTARY DISMISSAL

Plaintiff is proceeding *pro se* and *in forma pauperis* in this action pursuant to 42 U.S.C. § 1983. On August 9, 2007, this Court issued an Order to Show Cause directing Plaintiff to explain why his complaint should not be dismissed for failure to state a claim upon which relief may be granted. (Dkt. #7). Now before the Court is Plaintiff's response to the Order to Show Cause wherein he request that this matter be dismissed without prejudice. (Dkt. #8). The Court construes Plaintiff's response as a motion for voluntary dismissal under Fed. R. Civ. P. 41(a)(2). As such, the motion is GRANTED, and the action is dismissed without prejudice.

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ORDER OF DISMISSAL

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1 The Clerk is directed to send a copy of this Order to Plaintiff and to the Honorable  
2 Monica J. Benton.

3 DATED this 10<sup>th</sup> day of September, 2007.  
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6 Robert S. Lasnik  
7 United States District Judge  
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9 Recommended for entry  
10 this 7<sup>th</sup> day of September, 2007.  
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12 /s/Monica J. Benton  
13 Monica J. Benton  
14 United States Magistrate Judge  
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